IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JAN 2 1 2009

In re Application of

Osamu OTSUKA

Serial No.:

10/698,391

Group Art Unit:

2618

Filed:

November 3, 2003

Examiner:

Tuan Pham

For:

MOBILE RADIO EQUIPMENT AND METHOD OF CONTROLLING

TRANSMISSION RATE FOR MOBILE RADIO EQUIPMENT

Honorable Commissioner of Patents Alexandria, VA 22313-1450

<u>PETITION AND FEE FOR EXTENSION OF TIME</u> <u>UNDER 37 C.F.R. 1.136(a)</u>

Sir:

Applicants hereby petition for a two-month extension of time to respond to the Office Action mailed August 22, 2008. A check for the extension fee in the amount of \$1,300.00 is attached. A Request for Continued Examination (RCE) responsive to the outstanding Office Action is being filed simultaneously herewith. A duplicate copy of this sheet is enclosed.

The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Joseph P. Hrutka, Fsq. Registration No. 53 918 Sean M. McGinn, Esq.

Registration No. 34,386

Date:

: 1/2/9

MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC

8321 Old Courthouse Road, Suite 200 Vienna, Virginia 22182-3817 (703) 761-4100 Customer No. 21254

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